

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
DOCKET NO: 1:17-CR-00080-MOC-WCM**

**UNITED STATES OF AMERICA,**

**vs.**

**PHILLIP SAMPSON ARMACHAIN, SR.,**

Defendant.

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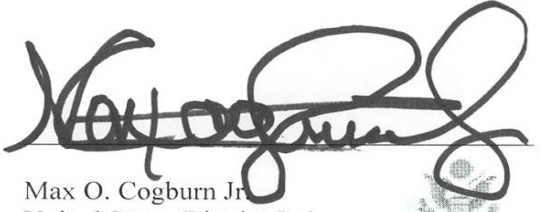
**ORDER**

**THIS MATTER** is before the Court on Defendant’s Motion for Home Detention under the First Step Act of 2018 (#78), as well as letters from family members supporting the reduction. (#79–81). In January 2018, Defendant pleaded guilty to one count of forced labor, violating 18 U.S.C. § 1589. The Court then sentenced Defendant to thirty months’ imprisonment. (#73).

Under the First Step Act, “[t]he Bureau of Prisons shall, to the extent practicable, place prisoners with lower risk levels and lower needs on home confinement for the maximum amount of time permitted under [18 U.S.C. § 3624].” First Step Act, Pub. L. 115-391 § 602 (2018). Under this provision, it is for the Bureau—not the Court—to determine whether and when it is “practicable” to institute home detention. See, e.g., United States v. Smith, No. 6:15-CR-00006-001, 2019 WL 4016211, at \*2 (W.D. Va. Aug. 26, 2019); United States v. Lowe, No. 1:15-CR11-1, 2019 WL 3858603, at \*2 (M.D.N.C. Aug. 16, 2019).

**IT IS, THEREFORE, ORDERED** that Defendant’s Motion for Home Detention pursuant to the First Step Act of 2018 (#78) is **DENIED**.

Signed: January 3, 2020

  
Max O. Cogburn Jr.  
United States District Judge